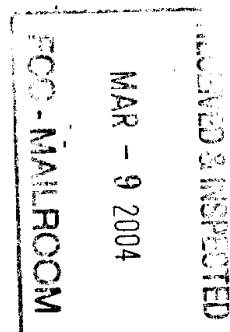


CYC 203



Federal Communications Commission
Washington, D.C. 20554

March 4, 2004



Roger Lonnquist
Hi-Line Radio Fellowship, Inc.
PO Box 4218
Helena, MT 59604-4218

Dear Mr. Lonnquist:

This letter is in response to the Petition for Rule Making you filed requesting the reservation of vacant Channel 299A at Boulder, Montana for noncommercial educational ("NCE") use.

The Commission has revised the standards for reserving an FM channel for NCE use.¹ Under these revised standards, a reservation proponent must demonstrate that it is technically precluded from using a reserved channel and would provide a first and/or second NCE radio service to at least 10 percent of the population within the 1mV/m contour (60dBu) of its proposed station. This revised reservation policy was later extended to existing vacant FM allotments for which an allocation proceeding was initiated prior to the effective date of these standards.² To implement the revised reservation policy, the Media Bureau opened a filing window to permit interested parties to file a petition for rulemaking in compliance with the revised reservation policy and with the submission of a complete technical preclusion showing.³

A staff engineering analysis reveals that your petition is unacceptable for consideration because your proposal failed to include a complete technical preclusion showing. Specifically, the *Public Notice* required each petitioner to submit reservation requests that satisfy the two distinct criteria listed above as well as a complete technical preclusion showing.

In view of the above, we are returning your petition for rule making.

Sincerely,

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

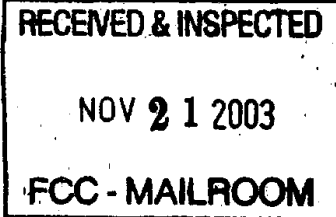
Enclosure

¹ See *Reexamination of the Comparative Standards for Noncommercial Educational Applicant*, 15 FCC Rcd 7386 (2000), *recon granted in part* 16 FCC Rcd 5074 (2001).

² See *Reexamination of the Comparative Standards for Noncommercial Educational Applicant*, 18 FCC Rcd 6691 (2003).

³ See *Media Bureau Opens Window to Permit Noncommercial Educational Reservation Showings for Certain Vacant FM Allotments*, 18 FCC Rcd 19600 (MB 2003) ("Public Notice").

**Petition for Rulemaking
Before the
Federal Communications Commission
Washington, D.C.**



By Public Notice DA 03-2990, released by the Federal Communications Commission ("FCC") on September 30, 2003, the FCC invited petitions to reserve existing non-reserved band FM allotments for use by non-commercial/educational ("NC/E") broadcasters if the petitioners for such allotments could demonstrate that petitions met two specific criteria.

This Petition is being filed by Hi-Line Radio Fellowship, Inc., ("HLRF" or "Petitioner") with the purpose of requesting that the FCC designate the following existing non-reserved band FM allocation for NC/E use:

FM Channel Number:	299
Class:	A
Community of License:	Boulder, Montana

The City of Boulder, Montana, is surrounded by mountains. These high mountains block the reception of signals from nearby communities. Boulder does not currently have any local FM or AM broadcast stations. The only FM signal which can be received in Boulder is that of FM translator K296AS. The Petitioner's proposal would provide for establishment of a new NC/E FM radio station at Boulder, which would provide the community with its first local FM or AM radio service of any kind.

In its Public Notice, the FCC stated that an existing non-reserved band allotment could be reserved for non-commercial/educational use if the petitioner could demonstrate that *"it is technically precluded from using a reserved channel and would provide a first and/or second NC/E radio service to at least 10 percent of the population within the 1 mV/m contour of its proposed station."* This Petition meets the criteria required in the FCC's Public Notice. An exhibit in support of this Petition is attached as **Exhibit A**.

In the event that the FCC chooses to grant this Petition, the Petitioner hereby states that IT WILL APPLY TO THE FCC FOR A CONSTRUCTION PERMIT authorizing it to build and operate a station in accordance with the new allotment, at such time as the FCC would open a filing window enabling the Petitioner to do so.

The Petitioner proposes the following set of reference coordinates:

Latitude:	46	15	34
Longitude:	112	09	08

From the proposed coordinates, the Petitioner's operation of a Class A FM station would provide a 3.16 mV/m (70 dB/u) signal which would encompass 100% of the area within the city limits of the City of Boulder, Montana.

Questions concerning this Petition may be addressed to the undersigned at: PO Box 4218, Helena, MT., 59604-4218, or (888) 443-5237.

This Petition is being signed and submitted by a duly authorized officer in the Petitioner's corporation this 21st day of November, 2003.

Respectfully Submitted,



Roger Lonquist
2nd Vice-Chairman
Hi-Line Radio Fellowship, Inc.

Exhibit A

In its Public Notice, the FCC stated that an existing non-reserved band allotment could be reserved for non-commercial/educational use if the petitioner could demonstrate that:

- 1) *"it is technically precluded from using a reserved channel; and,*
- 2) *it would provide a first and/or second NC/E radio service to at least 10 percent of the population within the 1 mV/m contour of its proposed station."*

I. Technical – TV Channel 6

The Petitioner is technically precluded from filing for a NC/E FM radio station by its close proximity to KTVM-TV, which broadcasts on TV Channel 6.

KTVM-TV broadcasts on TV Channel 6, with a power of 100,000 Watts Effective Radiated Power, with a HAAT of 591 Meters, from coordinates NL 46 00 27, WL 112 26 30.

Section 73.525(a) of the Commission's Rules & Regulations defines any TV station operating on Channel 6 as an *Affected TV Channel 6 Station* if it is located within specific distances of a NC/E FM station operating on a reserved band channel. Pursuant to the information set forth in *Table A* of the Section, KTVM-TV is an *Affected TV Channel 6 Station*, as KTVM's transmitter site is located 35.8 kilometers from the Petitioner's proposed transmitter site, which is well within the range specified in *Table A*.

II. First and/or Second NC/E Radio Service

The Petitioner's proposed station would provide Boulder, Montana, with its first NC/E radio service. At this time the only radio service in Boulder is an FM translator, K296AS.

Boulder, Montana, is surrounded by high mountains which block the reception of any FM radio services from neighboring towns. Of the NC/E FM stations currently operating or authorized in such neighboring communities, only KVCN, Helena, Montana, *appears* to provide a 1.0 mV/m signal over any portion of the City of Boulder. While contour maps show KVCN providing a 1.0 mV/m signal over Boulder, shadowing studies and actual on-location efforts to receive the signal of KVCN reveal that it is blocked by the Boulder Hill, which is located to the north of Boulder.